

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION**

BONNIE HULING,	:	
	:	
Petitioner,	:	
	:	
vs.	:	CASE NO. 4:10-CV-64-CDL-MSH
	:	28 U.S.C. § 2254
	:	Habeas Corpus Petition
DANE COLLINS,	:	
	:	
Respondent.	:	

**RECOMMENDATION OF DISMISSAL**

On August 16, 2010, this Court ordered Petitioner Bonnie Huling to file a supplemental petition for habeas relief which would give “opposing parties fair notice of the basis for the claims against them so that they may respond and [would] allow the court to conclude that the allegations, if proven, show that the pleading party is entitled to relief.” (Doc. 8 at 1.) Petitioner filed a supplemental petition on August 20, 2010. (Doc. 9.) This supplemental petition, however, fails to comply with the Court’s August 16 Order as it also fails to comply with the pleading requirements of Rule 8 of the Federal Rules of Civil Procedure.

Rule 8(a) requires that a pleading which states a claim for relief contain “(1) a short and plain statement of the grounds for the court's jurisdiction, . . . (2) a short and plain statement of the claim showing that the pleader is entitled to relief; and (3) a demand for the relief sought[.]” Rule 8(d)(1) provides that “each allegation must be simple, concise, and direct.” As explained previously by this Court, these rules underscore the emphasis placed

on clarity and brevity by the federal pleading rules.

The Court cannot discern the basis for its jurisdiction or the substance of Petitioner's claims from either his application for habeas relief or his supplemental brief. Petitioner has failed to set forth a short and plain statement of his claims or ascertainable basis for relief. Therefore, Petitioner's application for habeas relief should be dismissed without prejudice.

WHEREFORE, it is recommended that Petitioner's application for habeas relief be DISMISSED WITHOUT PREJUDICE for failure to comply with this Court's August 16, 2010, Order. Pursuant to 28 U.S.C. § 636(b)(1), the Petitioner may serve and file written objections to this recommendation with the UNITED STATES DISTRICT JUDGE within fourteen (14) days after being served a copy of this recommendation.

**SO RECOMMENDED**, this 31st day of August, 2010.

S/Stephen Hyles  
UNITED STATES MAGISTRATE JUDGE

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